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| PILLSBURY WINTHROP SHAW PITTMAN, LLP | | | | |
| P.O. BOX 10500 | | | | |
| MCLEAN, VA 22102 | | | | |
| EXAMINER | | | | |
| REID, CHERYL M | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 2142 | | | | |
| DATE MAILED: 08/16/2005 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/050,065

Applicant(s)

OSTBERG ET AL.

Examiner

Cheryl M. Reid

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The specification is objected to because the text of the specification is not clear. Examiner had difficulty reading the text. Examiner recommends that Applicant submits a clearer version. Applicant is reminded that no new matter is permitted.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 1-10 are rejected as being unclear and indefinite. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. For example, claim 1 recites "ordre public." Examiner does not know the meaning of that term, and no clarification is provided in the reference. Claim 1 also recites "assign a call" this is also unclear. Claims 1-10 are filled with numerous other examples.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gardos et al (US 6880007) hereinafter Gardos and Peled et al (US 20020016831) hereinafter Peled, and further in view of Sheth et al (US 6874030) hereinafter Sheth.

6. In regards to claims 1 and 5 Gardos teaches of :

- a first level of blocking (350) in the form of a top level domain requiring registration for web sites (390) residing within the domain with respect to ordre public (Col 1, lines 45-65, Col 2, lines 1-4), as stated above in the 112 rejection, Examiner does not understand the meaning of "ordre public" and no definition is provided in the specification, therefore for the purposes of examining , Examiner is interpreting the above-limitation as " a first level of blocking in the form of a top level domain requiring registration for web sites";
- Examiner is interpreting limitation b as : at least one top level domain server (16) for connection to the top level domain (Col 2, lines 5-15), domain server having files and software (Col 2, lines 10-15), Gardos does not explicitly teach on the remaining limitations.
- In an analogous art, Peled teaches of authenticating a user (Paragraph [0166]) and assign user an IP address (Paragraph [0186]), Examiner is interpreting the limitation : which assign a call, through computer (12), a network address (340) which associates to a correct application server (380) when the user of computer (12) has been identified as "authenticating user and assigning user an IP

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address;" Peled teaches of database connected to the top level domain server for registration and approval of a services provider residing within the top level domain (Fig 2). Neither Gardos nor Peled explicitly teach of blocking an unidentified calling party. In an analogous art, Sheth teaches on this aspect.

- Sheth teaches of blocking an unidentified calling party (Col 3, lines 53-36) and whereby registration of those connected to the domain and the identification of a calling party prevents a free connection and anonymity in computer networks through said top level domain server (16), which accomplishes a top level domain purged from unwanted network traffic (Col 2, lines 35-42). Examiner is interpreting the above limitations as "registration prevents unauthorized access."
- It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teachings of Sheth and Peled because the inventions relate to communication via the Internet. One of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications because it would have resulted in a more secure communication system by preventing unauthorized access to system resources. This is desirable as discussed by Peled (Paragraph [0021]).

7. In regards to claims 2 and 6, Examiner is unclear of the meaning of "micro debiting" and no definition is provided in the specification. Examiner is interpreting the claim language to mean " means for debiting ". Gardos teaches of means for debiting and debiting based on accumulated usage ((Fig 7).

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8. In regards to claim 3 and 7, Gardos teaches of the web address of the one connected is stored for debiting in a database (Col 2, lines 20-25).

9. In regards to claims 4, 8, 9 and 10, as stated in the 112 rejection, Examiner is unclear of the meaning of the limitations. In particular, Examiner is unclear of the meaning of "micro debiting" and "percentage partitions" and "post". No definition or clarification is provided in the specifications. As best understood, Examiner is interpreting the meaning of the limitation as follows: " means in the debiting server for debiting or billing user based on usage of service," Gardos teaches on this aspect (Fig 7).

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl M. Reid whose telephone number is 571 272 3903. The examiner can normally be reached on Mon- Fri (7-3:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

cmr

Beatriz Prieto
BEATRIZ PRIETO
PRIMARY EXAMINER